

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

A.A., *A MINOR, BY AND THROUGH HER* :
NATURAL GUARDIAN, DANIELLE ROWE; and :
DANIELLE ROWE, *ON HER OWN BEHALF*; :
Plaintiffs, :

v. :

No. 5:22-cv-01621

CITY OF LANCASTER; :
DETECTIVE AUSTIN KRAUSE; :
EAST HEMPFIELD TOWNSHIP; :
DETECTIVE RICHARD GAUCK; :
COUNTY OF LANCASTER; :
CHIEF COUNTY DETECTIVE KENT SWITZER; :
OFFICER(S) JOHN DOE(S); and :
CHIEF OF POLICE JOHN T. BEY; :
Defendants. :

ORDER

AND NOW, this 13th day of December 2022, for the reasons set forth in the Opinion issued this date, **IT IS HEREBY ORDERED:**

1. The Motion to Dismiss filed by Defendants City of Lancaster, Detective Austin Krause, and Chief of Police John T. Bey, ECF No. 18, is **GRANTED in part as follows:**

- A. Counts I, II, and III against Krause are **dismissed without prejudice.**
- B. Counts IV and V against the City of Lancaster and Bey are **dismissed without prejudice.**
- C. Counts VI and VII against Krause may proceed as pled.

2. The Motion to Dismiss filed by Defendants County of Lancaster, Detective Richard Gauck, and Chief County Detective Kent Switzer, ECF No. 20, is **GRANTED in part as follows:**

- A. Counts I, II, and III against Gauck are **dismissed without prejudice**.
 - B. Counts IV and V against the County of Lancaster and Switzer are **dismissed without prejudice**.
 - C. Counts VI and VII against Gauck may proceed as pled.
3. The Motion for Judgment on the Pleadings filed by Chief of Police Stephen A. Skiles and Defendant East Hempfield Township, ECF No. 25, is **GRANTED in part as follows**:
- A. Counts IV and V are **dismissed without prejudice**.
 - B. The request for judgment on the pleading is denied.
4. **On or before December 30, 2022**, Plaintiffs may file an amended complaint consistent with the Opinion. If Plaintiffs fail to timely file an amended complaint, the case will proceed on Counts VI and VII against Krause and Gauck only. All other claims and defendants will be dismissed with prejudice.

BY THE COURT:

/s/ Joseph F. Leeson, Jr.
JOSEPH F. LEESON, JR.
United States District Judge